

R.S.O. 1970, Chapter 318, as amended

IN THE MATTER OF

The complaint made by Mr. Larry Kavanagh of Timmins, Ontario, alleging discrimination in employment by Versailles Restaurant and Mantas Brothers Limited and Lise LaBonte, Timmins, Ontario

BEFORE:

Professor John D. McCamus
Appointed a Board of Inquiry into
the above matter by the Minister of
Labour, The Hon. Robert Elgie, to
hear and decide the above mentioned
complaint.

DECISION AND ORDER

On October 22, 1980, I was appointed by the Honourable Minister of Labour, Robert Elgie, to serve as a Board of Inquiry under the Ontario Human Rights Code to hear and decide this complaint. Hearings pertaining to this matter were ultimately scheduled to commence on June 14, 1981. Prior to that date, however, I was instructed by counsel for the complainant and the Commission that the respondents would not find it convenient to attend a hearing on that date. Accordingly, the hearings were rescheduled to commence on September 23, 1981 in Timmins, Ontario. Prior to that date, I was advised by counsel for the complainant and the Commission that the parties had entered into negotiations with a view to settlement which might prove to be fruitful and an adjournment of the hearing was therefore requested. That adjournment was granted and on November 5, 1981, I was advised in writing by counsel for the complainant and Commission that this matter "was recently settled" and that the parties were in the process of preparing Minutes of Settlement.

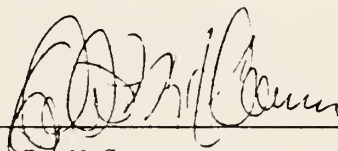
The Minutes of Settlement to which the parties ultimately agreed were forwarded to me under cover of a letter dated December 29, 1981 from counsel representing the complainant and the Commission. A copy of the Minutes of Settlement are appended to this Decision and Order. The said Minutes of Settlement agreed to the issuance by this Board of Inquiry of an Order requiring the respondents Versailles Restaurant and Mantas Brothers Limited to undertake certain actions by way of compensation of the complainant for injuries occasioned by the discriminatory conduct which was the subject of the complaint herein. I am further instructed by counsel for the complainant and the Commission that the complaint as against the respondent Lise LaBonte has been withdrawn. The following

Order is therefore made only against the respondents Versailles Restaurant and Mantas Brothers Limited (the "said respondents").

Having regard to the aforesaid Minutes of Settlement and having regard to the agreement by the said respondents that they have discriminated against the complainant in the manner alleged in the complaint herein and having regard to the powers conferred on tribunals by Section 4 of the Statutory Powers Procedure Act, S.O. 1971, c. 47, it is therefore ordered that:

- 1) The said respondents do pay to the complainant, Larry Kavanagh, the sum of \$500.00 by way of compensation for the said act of discrimination;
- 2) the said respondents do post conspicuously in all establishments owned by them the Ontario Human Rights Commission Management Policy Card;
- 3) The said respondents do write a letter of apology to the said complainant, Mr. Kavanagh, for their said act; and
- 4) The said respondents do write a letter to the Ontario Human Rights Commission confirming that henceforth they will maintain a non-discriminatory policy.

DATED AT the Borough of North York in the municipality of Metropolitan Toronto this 6th day of January, 1982.



John D. McCamus
Board of Inquiry

IN THE MATTER OF THE ONTARIO HUMAN RIGHTS
CODE, R.S.O. 1970, CHAPTER 318, AS AMENDED

AND IN THE MATTER OF The complaint made by
Mr. Larry Kavanagh of Timmins, Ontario,
alleging discrimination in employment by
Versailles Restaurant and Mantas Brothers
Limited and Lise LaBonte, Timmins, Ontario


MINUTES OF SETTLEMENT


Subject to the approval of the Board of Inquiry
herein the parties hereto, namely Larry Kavanagh, the
complainant, Mantas Brothers Limited and Versailles Restaurant,
the respondents, and the Ontario Human Rights Commission
hereby mutually agree to the disposition of the above referred
to complaint by the Board of Inquiry making an Order:

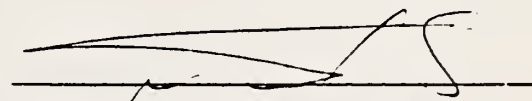
1. That the said named respondents discriminated
as alleged against Larry Kavanagh;
2. That the said named respondents do pay to the
complainant, Larry Kavanagh, the sum of \$500.00 by way of
compensation for the said act;
3. That the said respondents do post conspicuously
in all establishments owned by them the Ontario Human Rights
Commission Management Policy Cards;
4. That the said respondents do write a letter of
apology to the said complainant, Mr. Kavanagh, for their said
act;

5. That the said respondents do write a letter to the Ontario Human Rights Commission confirming that henceforth they will maintain a non-discriminatory policy.

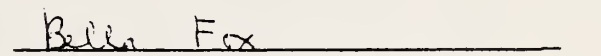
DATED at Toronto this 25th day of November 1981.


Witness


Larry Kavanagh
(Complainant)


Mantas Brothers Limited


Versailles Restaurant


Bella Fox
Ontario Human Rights Commission
by their Counsel



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